

Hearing Date: TBD per CMO
Response Deadline: July 12, 2019
Reply Deadline: August 26, 2019

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

LEHMAN BROTHERS HOLDINGS INC., *et al.*,
Debtors.

Chapter 11

Case No. 08-13555 (SCC)

LEHMAN BROTHERS HOLDINGS INC.,

Plaintiff,
-against-

Adv. Pro. No. 16-01019(SCC)

1ST ADVANTAGE MORTGAGE, L.L.C. *et al.*

Defendants.

LEHMAN BROTHERS HOLDINGS INC.,

Plaintiff,
-against-

Adv. Pro. No. 16-01818 (SCC)

RESPONSE MORTGAGE SERVICES, INC.

Defendant.

NOTICE OF MOTION AND MOTION TO DISMISS

PLEASE TAKE NOTICE that, pursuant to Section II(B) of the Case Management Order dated March 13, 2019 (Filed in 16-01019-scc, ECF Doc. 825), defendant Response Mortgage

Services, Inc., hereby moves to dismiss the complaint against it pursuant to Fed. R. Civ. P. 12(b)(1), for lack of subject matter jurisdiction, and pursuant to Fed. R. Civ. P. 12(b)(3), for improper venue, for the reasons set forth in the Omnibus Motion to Dismiss previously filed by Response Mortgage Services, Inc. on March 31, 2017 (Filed in 16-01343-scc, ECF Doc. Nos. 17-21).

PLEASE TAKE FURTHER NOTICE that, this motion seeks the same relief on the same basis as that set forth in the Omnibus Motion to Dismiss previously filed by Response Mortgage Services, Inc. on March 31, 2017 (Filed in 16-01343-scc, ECF Doc. Nos. 17-21).

PLEASE TAKE FURTHER NOTICE that, pursuant to Section II(C) of the Case Management Order dated March 13, 2019 (Filed in 16-01019-scc, ECF Doc. 825), Plaintiff's brief in opposition to the Omnibus Motion shall be filed and served on July 12, 2019, and Defendants' reply brief in support of the Omnibus Motion shall be filed and served on August 26, 2019.

Dated: White Plains, New York
May 13, 2019

WILSON, ELSEY, MOSKOWITZ,
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Attorneys for Response Mortgage Services, Inc.

By: /s/ Mark G. Ledwin
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CERTIFICATE OF SERVICE

Allison M. Holubis, an attorney duly admitted to practice before this Court, hereby certifies that on the 13th day of May, 2019, I caused true and correct copies of the foregoing **MOTION TO DISMISS** to be served via ECF.

/s/ Allison Holubis
Allison Holubis, Esq.

TO: William A. Maher, Esq.
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